

Environment and Community Development

RESOLUTION NO. 204291

**RE: AUTHORIZING AGREEMENT WITH DUTCHESS COUNTY
WATER AND WASTEWATER AUTHORITY**

Legislators KENDALL, REILLY, COOPER, and LAFRANCE
offer the following and move its adoption:

WHEREAS, this Legislature, by Resolution No. 202137, approved a project of the Dutchess County Water and Wastewater Authority ("Authority") known as the Dutchess Central Utility Corridor (the "Corridor") for the construction and installation of a thirteen mile water transmission line and pumping facilities for the transmission of water from a connection point in the Town of Poughkeepsie to the Hudson Valley Research Park in the Town of East Fishkill, and

WHEREAS, as a result of the joint efforts of the County and the Authority, the New York State Environmental Facilities Corporation is contributing \$11,250,000 to the project, and the IBM Corporation is contributing \$11,375,000, and

WHEREAS, as part of its participation in the project this Legislature previously authorized an agreement between Dutchess County (County) and the Authority for the acquisition of excess capacity in the transmission line, and

WHEREAS, pursuant to Resolution No. 202137, the County made and entered into an agreement with the Authority, County Contract No. 02-0552-WA, dated June 27, 2002, by the terms of which the County was to acquire excess capacity in the water transmission line for \$3,000,000 in consideration therefore, and, in addition, agreed to convey to the Authority a 30' construction easement and a 15' permanent easement over the length of the railroad corridor needed for the water main, subject to certain conditions contained therein, and

WHEREAS, costs of construction based upon completion of detailed plans and specifications and receipt of bids have now been established, and

WHEREAS \$7,860,000 of additional County participation, and, in addition, execution of an agreement amending and replacing County Contract No. 02-0552-WA are required, now, therefore, be it

RESOLVED, that the agreement which amends and replaces County Contract No. 02-0552-WA is hereby approved and the County Executive is hereby authorized to execute said agreement in substantially the form as attached hereto.

CA-220-04 IGM/ca/C-6249 10/14/04Fiscal Impact: See statement attached to bond resolution.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 21st day of October, 2004, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 21st day of October, 2004.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

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